S.B.CIVIL WRIT PETITION NO.5179/2007

Ramesh Kumar

Versus

The Rent Tribunal, Sriganganagar & Anr.

Date of Order :: 23rd August, 2007

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. Sanjeet Purohit, for the petitioner.

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By this petition for writ the petitioner, who is defending a petition for eviction (Case No.98/2005) filed by his landlord and pending before Rent Tribunal, Sriganganagar, has given challenge to the order dated 2.8.2007 whereby the tribunal over-ruled the objection raised regarding the fact averred by the respondent landlord in his affidavit about his marriage.

The contention of counsel for the petitioner is that the fact about marriage was not averred in the pleadings, therefore, it was not open to mention the same in affidavit i.e. a part of evidence.

The petitions under Rajasthan Rent Control Act, 2001 are required to be adjudicated in summary manner is with adherence of principles of natural

justice. It is for the Tribunal to adopt its own procedure that is warranted to meet the ends of justice. Looking to available facts and circumstances, I do not consider it appropriate to interfere with the order impugned at this stage as it shall always be open for the petitioner to raise all questions those he want to raise in this petition while pursuing the appeal, if needed.

The writ petition, therefore, is dismissed.

(GOVIND MATHUR),J.

Kkm/ps.